102D CONGRESS
1st Session

SENATE

REPORT
102–12

HISTORY, JURISDICTION, AND A SUMMARY OF ACTIVITIES OF THE COMMITTEE ON ENERGY AND NATURAL RESOURCES DURING THE 101ST CONGRESS

COMMITTEE ON ENERGY AND NATURAL RESOURCES UNITED STATES SENATE

FEBRUARY 14, 1991.—Ordered to be printed

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COMMITTEE ON ENERGY AND NATURAL RESOURCES

(102d Congress)

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COMMITTEE ON ENERGY AND NATURAL RESOURCES

(101st Congress)

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D. MICHAEL HARVEY, *Chief Counsel*
FRANK M. CUSHING, *Staff Director for the Minority*
GARY G. ELLSWORTH, *Chief Counsel for the Minority*

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* Senator Metzenbaum served on the committee until May 1990.
** Senator Akaka became a member of the committee May 1990.

MEMORANDUM OF THE CHAIRMAN

To Members of the Senate Committee on Energy and Natural Resources:

The enclosed report reviews the accomplishments of the Committee in the 101st Congress.

J. BENNETT JOHNSTON, *Chairman.*

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History and Current Jurisdiction

HISTORY

Although the Federal Constitution does not even mention committees, the committee system was established by the First Congress. Our first lawmakers recognized the need for workable units to find facts and make policy recommendations, based on indepth study and expertise.

The present committee organization was created in 1977 by the "Committee System Reorganization Amendments of 1977" (S. Res. 4, 95th Cong.). The purpose of S. Res. 4 was to streamline the Senate's procedural organization by reorganizing the committee jurisdictions as reasonably as possible and within the hands of fewer committees.

CURRENT JURISDICTION

Under Senate Rule XXV(g) the jurisdiction of the Committee on Energy and Natural Resources extends to—

all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Coal production, distribution, and utilization.
2. Energy policy.
3. Energy regulation and conservation.
4. Energy related aspects of deepwater ports.
5. Energy research and development.
6. Extraction of minerals from oceans and Outer Continental Shelf lands.
7. Hydroelectric power, irrigation, and reclamation.
8. Mining education and research.
9. Mining, mineral lands, mining claims, and conservation.
10. National parks, recreation areas, wilderness areas, wild and scenic rivers, historical sites, military parks and battlefields, and on the public domain, preservation of prehistoric ruins and objects of interests.
11. Naval petroleum reserves in Alaska.
12. Nonmilitary development of nuclear energy.
13. Oil and gas production and distribution.
14. Public lands and forests, including farming and grazing thereon, and mineral extraction therefrom.
15. Solar energy systems.
16. Territorial possessions of the United States, including trusteeships.

In the 101st Congress, the Committee had five subcommittees: the Subcommittee on Energy and Regulation and Conservation; the Subcommittee on Energy Research and Development; the Subcom-

mittee on Mineral Resources Development and Production; the Subcommittee on Public Lands, National Parks and Forests and the Subcommittee on Water and Power.

Under the subcommittee structure, the jurisdiction of the Subcommittee on Energy Regulation and Conservation includes oversight and legislative responsibilities for Federal energy conservation programs; energy information; commercialization of new technologies (e.g., wind, solar, ocean thermal energy conversion); liquified natural gas projects; oil and gas pipelines and pipeline regulation including regulation of Alaska Natural Gas Transportation System, Trans-Alaska Pipeline System, and other oil or gas pipeline transportation systems within Alaska (e.g., the Trans-Alaska Gas line system); regulatory functions of ERA; refinery policy; gasoline rationing; emergency preparedness; petroleum allocation; and coal conversion.

The jurisdiction of the Subcommittee on Energy Research and Development includes oversight and legislative responsibilities for nuclear R&D; coal and synfuels R&D; nuclear and nonnuclear energy commercialization projects; nuclear fuel cycle policy, including uranium resources; new technologies R&D (e.g., conservation, solar, OTEC, and MHD); nuclear facilities siting; and breeder reaction development.

The jurisdiction of the Subcommittee on Mineral Resources Development and Production includes oversight and legislative responsibilities for energy and nonfuel mineral resources; Federal mineral leasing; national mining and minerals policy and general mining laws; surface mining, reclamation and enforcement; coal production, distribution and utilization; oil and gas production and distribution; mining education and research; minerals exploration, development and production from public and acquired lands; mineral conservation; royalty management; coal severance tax, Naval Petroleum and Oil Shale Reserves; deep water ports; and deep seabed mining.

The jurisdiction of the Subcommittee on Public Lands, National Parks and Forests includes oversight and legislative responsibilities for the public lands administered by the Bureau of Land Management; National Forest System; National Park System; National Wilderness Preservation System; Wild and Scenic Rivers System; National Trails System; establishment of wildlife refuges on public lands; Alaska Native Claims Settlement Act; Alaska National Interest Lands Conservation Act; reserved water rights; military land withdrawals; national recreation areas; national monuments; historic sites; military parks and battlefields; Land and Water Conservation Fund; historic preservation; renewable resources; outdoor recreation resources; and on the public domain, preservation of prehistoric ruins and objects of interest.

The jurisdiction of the Subcommittee on Water and Power includes oversight and legislative responsibilities for irrigation; reclamation projects, including related flood control purposes; power marketing administrations (e.g., Bonneville Power, Alaska Power, Southwestern Power, Western Area Power, Southeastern Power); energy development impacts on water resources; groundwater resources and management; small power producers; hydroelectric power; low head hydro.

In addition, numerous important matters were considered directly by the full Committee without initial reference to a subcommittee. In addition to Executive nominations, such matters include issues that (1) require extremely expeditious handling, or (2) substantially overlap two or more subcommittee jurisdictions, or (3) are of exceptional national significance in which all Members wish to participate fully.

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FEBRUARY 14, 1991.—Ordered to be printed
Filed under authority of the order of the Senate of February 5
(legislative day, January 3), 1991

Mr. J. BENNETT JOHNSTON, from the Committee on Energy and Natural Resources, submitted the following

REPORT

SUMMARY OF 101ST CONGRESS LEGISLATIVE AND OVERSIGHT ACTIVITIES

SUMMARY

During the 101st Congress the Committee on Energy and Natural Resources conducted an extensive oversight and legislative program. A total of 356 bills and resolutions were referred for consideration to the Committee. Several other bills and resolutions under the Committee's jurisdiction were considered and passed by the Senate without Committee referral. In addition, the Committee received 38 nominations, 14 Presidential messages, and 479 Executive Communications.

In the aggregate, the Committee held 164 days of public hearings (including 20 field hearings) during the 101st Congress. These hearings encompassed 44 days of oversight, 107 days of legislative, and 13 days of nomination hearings. The Committee also held 38 business meetings and participated in 5 Senate-House conferences.

Action was completed on a broad range of oversight, legislative, and executive matters. Legislatively, 125 bills or resolutions, were reported by the Committee, and the Committee was discharged of 14 other measures.

The Congress enacted a total of 72 public laws within the jurisdiction of the Committee.

When the Congress adjourned sine die, 13 Senate-passed measures, within the jurisdiction of the Committee, were pending before the House. Twelve other measures reported by the Committee were pending on the Senate Calender.

During the 101st Congress, 38 nominations were submitted by President Bush and referred to the Committee. Of these, 30 were reported favorably by the full Committee and confirmed by the Senate. At the end of the 101st Congress, none were pending before the Committee.

The Committee filed 125 Senate Reports on measures reported by the Committee. The Committee also published 130 hearing records.

As discussed below, the four principal areas of Committee activity—budget, energy, natural resources, and territories—were distributed among the full Committee and five Subcommittees.

FULL COMMITTEE

J. BENNETT JOHNSTON, *Chairman*

JURISDICTION

Numerous important matters were considered directly by the full Committee without initial reference to a Subcommittee During the 101st Congress the jurisdiction of the full Committee included oversight and legislative responsibilities for Strategic Petroleum Reserve; intergovernmental relations; Outer Continental Shelf leasing; investigation and oversight; international energy affairs; territorial affairs; and Antarctica. In addition, other issues are retained in the full Committee on an ad hoc basis. Generally, these are issues which (1) require extremely expeditious handling, or (2) substantially overlap two or more Subcommittee jurisdictions, or (3) are of exceptional national significance in which all Members wish to participate fully.

OVERVIEW

Nominations

During the 101st Congress, 38 nominations were submitted by President Bush and referred to the Committee. Of these, 30 were reported favorably by the full Committee and were confirmed by the Senate. At the end of the 101st Congress, none were pending before the Committee.

Presidential messages

Fourteen (14) Presidential messages were transmitted to the Committee during the 101st Congress dealing with a variety of subjects within the Committee's jurisdiction.

Executive communications

The Committee received a total of 479 Executive communications transmitting legislative recommendations and relating to the Committee's oversight responsibilities.

Reports and publications

During the 101st Congress the full Committee filed 125 Senate Reports on measures reported by the Committee.

The Committee also published 130 hearing records. Thirteen of these dealt with Presidential appointees, and the remaining publications provided background material pertinent to the Committee's legislative activities and oversight responsibilities.

In addition, the Committee published two Committee prints. They dealt with the Committee Rules, Membership and Jurisdiction, and the Economics of the Shoreham Nuclear Plant.

OVERSIGHT ACTIVITIES

Budget

During the 101st Congress, the full Committee considered the President's proposed budget for fiscal years 1990 and 1991 for the Department of Energy, Department of the Interior, the U.S. Forest Service, and the Federal Energy Regulatory Commission.

Following these annual reviews of the President's proposed budgets, the Committee submitted its Views and Estimates reports to the Senate Budget Committee. In both reports, the Committee noted that in the past programs within its jurisdiction have been cut substantially. The Committee expressed concern that further budget cuts in national energy and natural resource activities may seriously weaken our Nation's energy and natural resources base, a base that is a vital part of our national economic strength. Therefore, the Committee recommended that programs within its jurisdiction, in general, be funded at an aggregate current services level.

Energy

The full Committee also conducted 19 days of oversight hearings on a variety of energy issues pertinent to its jurisdiction, including:

World Oil Outlook

The Committee held a hearing on March 26, 1990 to examine the outlook for the world oil market. The hearing examined supply and demand conditions in the world market, the security of oil supplies, and the implications for U.S. energy policy and economic performance.

Alternative Fuels

During the 101st Congress, the Committee held 2 days of oversight hearings on alternative motor transportation fuels and their potential roles in a future national energy policy. One day of hearings focused on methanol; a second day examined other potential alternative fuels, including ethanol, compressed natural gas, propane, reformulated gasoline, and electric powered vehicles.

Northeast Natural Gas Markets

The Committee held a hearing to consider competition to serve natural gas markets in the Northeastern United States and, in particular, issues arising in connection with the application of the Iroquois Gas Transmission System for a certificate of public convenience and necessity from the Federal Energy Regulatory Commission and the Department of Energy's consideration of applications to import Canadian natural gas to be transported on the proposed Iroquois pipeline. (Hearing held May 3, 1990).

National Energy Policy

The Committee held a hearing to consider the elements of a national energy policy to reduce dependence on imported oil. (Hearing held October 2, 1990).

Implications of the Middle Eastern Crisis for Near-Term and Mid-Term Oil Supply

On September 13, 1990 the full Committee held a hearing on the Implications of the Middle Eastern Crisis for Near-Term and Mid-Term Oil Supply. The purpose of this hearing was to receive testimony on the possible effects of the Iraqi invasion of Kuwait on the oil supply. The Secretary of Energy and Deputy Secretary of Energy were the sole witnesses at the hearing.

Energy Supply

One hearing was held by the full Committee on the supply and demand for electricity in the northeastern United States—New York and New England (April 13, 1989). This hearing focused on electricity supply in the Northeast against the backdrop of the then-impending decision to close the Shoreham nuclear reactor, owned and licensed to operate by the Long Island Lighting Co. Witnesses at this hearing testified on the energy supply situation in New York and New England and the current and future ability to meet demand. There were widely conflicting opinions on the need for the Shoreham reactor to meet that demand. Representatives from the State of New York testified that the energy supply situation would be better off without Shoreham. Other witnesses, however, expressed serious concern about the region's ability to meet demand without Shoreham. Members of the Committee at the hearing expressed concern about shortfalls in electricity supply in New York.

The full Committee held 2 days of hearings on the appropriate role of methanol as a potential alternative fuel in our future energy policy and the potential alternative transportation fuels (October 17, 1989 and November 14, 1989).

Nuclear Issues

Two days of closed hearings were held by the full Committee on the status of the Department of Energy's nuclear weapons complex (February 7 and 9, 1989). The purpose of these hearings was to educate members of the Committee on the current supply and need for nuclear materials and on the status and availability of existing facilities.

The full Committee held one hearing on the implementation of the Department of Energy's civilian nuclear waste program (March 2, 1990). The purpose of this hearing was to get a status report on the waste program from the Department of Energy. The Secretary of Energy told the Committee of the Department's efforts to reorganize and restructure the nuclear waste program and indicated that progress was being made in this area. The Secretary expressed significant concern, however, about the Department's ability to gain access to the Yucca Mountain site in Nevada to conduct detailed site characterization and testing. Because of the refusal of the State of Nevada to grant permits, the Department has been unable to initiate the testing program and has filed suit in Federal District Court. Members of the Committee expressed their continued support for the nuclear waste program but expressed concern about the inability to conduct site testing.

The full Committee held one hearing focusing on the report of the Monitored Retrievable Storage (MRS) Review Commission established under section 143 of the Nuclear Waste Policy Act (November 2, 1989). The MRS Review Commission was established by the 1987 amendments to the Nuclear Waste Policy Act to conduct an independent review of the need for an MRS as part of the nuclear waste management system. The MRS Review Commission submitted its report to the Congress on November 1, 1989, recommending against the building of an MRS facility but recommending instead that the Congress authorize the Department to build two smaller facilities for interim storage. Members of the Committee expressed their continued support and belief in the need for an MRS facility.

Other

Two days of hearings were held by the full Committee concerning the Department of Energy's Decision Plan related to the opening of the Waste Isolation Pilot Plant in Carlsbad, New Mexico, and on any proposed legislation to withdraw the public lands surrounding the WIPP site (April 3 and 26, 1990). The purpose of this hearing was to get a status report on the readiness of the WIPP facility to operate. The Department of Energy told the Committee that a decision on the readiness to operate would be made in June 1990. The Department committed to complete a number of actions prior to that decision and prior to the opening of WIPP. The WIPP facility is a research and development facility developed by the Department of Energy for the storage and eventual disposal of transuranic radioactive waste.

LEGISLATIVE ACTIVITIES

During the 101st Congress, 40 Senate bills, 2 Senate resolutions, 1 Senate joint resolution, 3 House bills, and 1 House joint resolution were referred for consideration to the full Committee. The full Committee held 29 days of legislative hearings.

Budget

Subsequent to submission of its annual Views and Estimates reports to the Budget Committee, the Committee on Energy and Natural Resources, during each session of the 101st Congress, reported legislation to comply with its reconciliation instructions.

Throughout the 101st Congress, the Committee opposed proposals to alter repayment practices of the Federal Power Marketing Administrations and to sell or lease the Naval Petroleum Reserves. The Committee also opposed reductions in energy conservation grants and energy R&D.

First Session.—The Concurrent Resolution on the Budget for Fiscal year 1990 (S. Con. Res. 30) did not contain reconciliation instructions for the Committee, hence, the Committee did not submit legislative recommendations.

Second Session.—On October 15, 1990, the Committee, in accordance with H. Con. Res. 310, the Concurrent Resolution on the Budget for Fiscal Year 1988, reported its legislative recommendations necessary to comply with its reconciliation instructions. The

recommended legislation incorporated language from two bills previously reported: the Tongass Timber Reform Act (H.R. 987, as amended and passed by the Senate on June 13, 1990) and the Uranium Enrichment Act of 1989 (S. 83, as amended and passed by the Senate on July 20, 1989). The Tongass bill was incorporated exactly as it passed the Senate. The Uranium Enrichment Act of 1989 was modified to provide for the following: (1) preclusion of payments in lieu of taxes by the Uranium Enrichment Corporation until fiscal year 1996; (2) restrictions on the expenditures of the Corporation and requirements to pay dividends during fiscal years 1991–1995; and (3) establishment of a fee of two-tenths of a mill per kilowatt hour on net generation of electricity by each civilian nuclear power reactor during fiscal years 1991–1995.

Strategic Petroleum Reserve Amendments of 1989

The Committee held 1 day of hearings on May 4, 1989 on the Strategic Petroleum Reserve Amendments of 1989 (S. 694) and reported the bill to the Senate on May 25, 1989 (S. Rept. 101–33). This legislation ultimately became Public Law 101–46 and included provisions that extended statutory authority for the Strategic Petroleum Reserve (SPR) and required the Secretary of Energy to study alternative financing methods for the Reserve.

Extensions of the Energy Policy and Conservation Act

On March 1, 1990, the Committee considered and ordered reported without amendment as an original bill S. 2231, an act to extend titles I and II of the the Energy Policy and Conservation Act. On August 2, 1990, the Committee considered and ordered reported without amendment as an original bill S. 2952, an act to extend further titles I and II of the Energy Policy and Conservation Act.

Energy Policy and Conservation Act Amendments of 1990

The Committee held 1 day of hearings on March 20, 1990 on the Energy Policy and Conservation Act Amendments of 1990 (S. 2088) and reported an amendment in the nature of a substitute to the Senate on May 15, 1990 (S. Rept. 101–289). This legislation ultimately became Public Law 101–383 and included provisions that extended statutory authority for the Strategic Petroleum Reserve, expanded the planned size of the Reserve to one billion barrels, and established a test program for the storage of refined petroleum products.

Expanded Test Sale of SPR Oil

The Committee considered and reported without amendment H.R. 5731 to the Senate on October 19, 1990 (S. Rept. 101–548). This legislation would increase the amount of oil the Secretary of Energy could sell during an SPR test sale from 5 million to 15 million barrels.

Nuclear

The full Committee held 3 days of hearings on the Department of Energy's Nuclear Facilities. The three related bills were S. 972 (the Radiation Research Reorganization Act of 1989), S. 1304 (DOE Nuclear Safety and Environment Act) and S. 1802 (DOE Nuclear Fa-

cilities Act of 1989). These hearings covered a wide range of issues related to operation of the Department of Energy's nuclear facilities, environmental cleanup of these facilities, and health and safety issues at the facilities. Testimony was received from the Department of Energy, Department of Justice, the Environmental Protection Agency, the Department of Health and Human Services, and the Occupational Health and Safety Administration. Testimony was also received from public witnesses representing the Building and Construction Trades Department, AFL–CIO; the Industrial Union Department, AFL–CIO; the Physicians for Social Responsibility; and the Colorado Department of Health.

National Energy Policy Act

During the 101st Congress, one Senate bill concerning global warming and the greenhouse effect was referred to the full Committee. S. 324, the "National Energy Policy Act of 1990", contained five broad titles including initiatives pertaining to energy policy, energy efficiency, energy research and development, and natural resource policy. The goal of the Act was to foster the identification of an appropriate mix of policies that had the potential, if fully implemented, to stabilize the generation of carbon dioxide and other greenhouse gases.

The National Energy Policy Act of 1990 included cost-effective strategies for reducing carbon dioxide and other trace gas emissions consistent with the achievement of other domestic energy, economic, social and environmental goals. Specific provisions of the legislation include:

(1) the development of a "least-cost national energy plan" designed to meet the energy production, utilization, and conservation objectives of the National Energy Plan and a stabilization and eventual reduction in the generation of carbon dioxide and other trace gases;

(2) the establishment of an Office of Climate Protection at the Department of Energy;

(3) the establishment and funding of energy efficiency research and development initiatives in the areas of energy intensive industries, Federal energy management programs, fuel cells, window labeling, home energy efficiency ratings, high efficiency heat engines, and the encouragement of utility investment in conservation and energy efficiency resources;

(4) requirements for the Department of Energy to perform a study of State laws and policies regarding least-cost energy planning;

(5) authorizations for renewable and fossil energy resource research, development and demonstration projects, as well as joint ventures in such areas as natural gas cofiring, fusion hydrogen, coal, hydropower, and electric vehicles;

(6) funding for projects which demonstrate the feasibility of using natural gas and other alternative fuels for mass transit and passenger vehicle systems;

(7) requirements for the National Academy of Sciences and the Office of Science and Technology Policy at the White House to conduct an ongoing review of current factors relating to global climate change;

(8) the submission of a report evaluating the extent to which nuclear energy can reduce the generation of carbon dioxide; and

(9) provisions to strengthen the mandate of the Committee on Renewable Energy Commerce and Trade to include the promotion of energy and energy efficiency resources that contribute to the generation of carbon dioxide.

The full Committee held 6 days of legislative hearings on S. 324. One full day of hearings was devoted to receiving testimony on energy efficiency and renewable energy resources and technologies. An afternoon hearing was devoted to receiving testimony on the Department of Energy's proposals for controlling the generation of carbon dioxide and other greenhouse gases. In addition, the Committee held two half day hearings on the regulatory provisions of S. 324 and, in particular, those provisions which amend the Public Utilities Regulatory Policies Act of 1978. An additional afternoon of hearings was held prior to final mark-up of the legislation in order to hear testimony on Federal policies for combating global climate change. The Committee also held a full day field hearing in Los Angeles, to review possible effects of global climate change on the State of California.

S. 324 was reported to the Senate with an amendment in the nature of a substitute (S. Report No. 101-361). The Senate passed S. 324 with the Committee amendment by unanimous consent on August 4, 1990.

Energy Policy Implications of S. 1630, the "Clean Air Act Amendments of 1989"

The full Committee held 2 days of hearings on the Energy Policy Implications of S. 1630, the "Clean Air Act Amendments of 1989", as reported by the Senate Committee on Environment and Public Works. Clean Air legislation was passed by both Senate and House and became Pub. Law 101-549. (S. Hrg. 101-826).

Federal Energy Regulatory Commission Member Terms

The Committee held a hearing on S. 388, "The Federal Energy Regulatory Commission Member Term Act of 1989", a bill to amend the Department of Energy Organization Act to establish five-year terms for members of the FERC with a single term expiring each year. At the same hearing, the Committee received testimony on S. 389, a bill to amend the Department of Energy Organization Act to establish the position of Assistant Secretary for Natural Gas. (Hearing held April 17, 1989). The Federal Energy Regulatory Commission Member Term Act of 1989 was enacted into law on April 11, 1990 (Public Law 101-271).

Natural Gas Wellhead Decontrol

The Committee held a hearing on three bills (S. 625, S. 783 and H.R. 1722) to repeal price and nonprice controls on first sales of natural gas at the wellhead under the Natural Gas Policy Act of 1978. (Hearing held on May 8, 1989). The Natural Gas Wellhead Decontrol Act of 1989 was enacted into law on July 26, 1989 (Public Law 101-60).

Territories

During the 101st Congress, six Senate bills, one Senate joint resolution and one House joint resolution were referred to the full Committee. Hearings were held on two of these bills: S.J. Res. 154, to consent to certain amendments enacted by the legislature of the State of Hawaii to the Hawaiian Homes Commission Act, 1920; and on S. 2362, the Insular Areas Recovery Act of 1990.

Puerto Rico

During the 101st Congress, three bills concerning Puerto Rico were referred to the full Committee. S. 710, S. 711, and S. 712, each would have authorized a referendum in Puerto Rico on the island's future political status. The full Committee held 8 days of legislative hearings on S. 712, the Puerto Rico Status Referendum Act. Two days of hearings were held to receive testimony from the leadership of the three principal political parties of Puerto Rico. Three days of hearings were held in San Juan, Puerto Rico to receive testimony from additional witnesses on the island, including government witnesses, representatives of various civil, trade, and political organizations, academics, and individuals. Finally, 2 days of hearings were held in Washington, D.C. to receive testimony from Federal agencies and organizations based in the mainland, which have an interest in the Puerto Rico status issue.

S. 712 was reported from the Committee on September 6, 1989 (Report No. 101–120) and was then referred to the Committee on Finance, and the Committee on Agriculture, Nutrition and Forestry. The bill was subsequently reported by the Committee on Finance, on September 28, 1990 (Report No. 101–481).

Public Utility Holding Company Act

The full Committee held 2 days of hearings on the "Competitive Wholesale Electric Generation Act of 1989" (Amendment No. 267 to S. 406, Mr. Johnston). The purpose of this legislation is to remove obstacles to competition in wholesale electric generation markets by reforming the Public Utility Holding Company Act of 1935.

Arctic National Wildlife Refuge

The Committee conducted 1 day of hearings on S. 406 and Senate Amendments Nos. 3, 4, and 5. Taken together, this bill and these amendments authorized and directed the Secretary of the Interior to undertake a competitive oil and gas leasing program on the 1.5 million acre Coastal Plain of the Arctic National Wildlife Refuge (ANWR) in Alaska. This matter was the subject of three Committee business meetings. On March 16, 1989, the Committee ordered reported an original bill (S. 684, S. Rept. 101–10), opening ANWR to oil and gas leasing. No further action was taken on this measure in the 101st Congress.

MEASURES ENACTED INTO LAW

Public Law 101–219 (H.J. Res. 175), Mr. de Lugo: To authorize entry into force of the Compact of Free Association between the

United States and the Government of Palau, and for other purposes.

Public Law 101-60 (H.R. 1722), Mr. Sharp: An Act to amend the Natural Gas Policy Act of 1978 to eliminate wellhead price and nonprice controls on the first sale of natural gas and to make technical and conforming changes to such Act.

Public Law 101-271 (S. 388), Mr. Bingaman: An Act to provide for five-year, staggered terms for members of the Federal Energy Regulatory Commission, and for other purposes.

Public Law 101-475 (H.R. 5579), Mr. Rahall: An Act to amend section 28(w) of the Mineral Leasing Act to repeal the 60-day waiting period for the granting of pipeline rights-of-way.

Public Law 101-383 (S. 2088), Mr. Johnston: An Act to extend titles I and II of the Energy Policy and Conservation Act, and for other purposes.

Public Law 101-155 (S. 750), Mr. Bumpers: An Act extending time limitations on certain projects.

Public Law 101-262 (S. 2231), Mr. Johnston: An Act to amend the Energy Policy and Conservation Act to extend the authority for titles I and II.

Public Law 101-360 (S. 2952), Mr. Johnston: An Act to amend the Energy Policy and Conservation Act to extend the authority for titles I and II.

Public Law 101-383 (S. 2088), Mr. Johnston: An Act to extend titles I and II of the Energy Policy and Conservation Act, and for other purposes.

RELATED PUBLIC LAWS

Public Law 101-62 (H.R. 2214), Mr. Lagomarsino: An Act to ratify certain agreements relating to the Vienna Convention on Diplomatic Relations.

Public Law 101-575 (H.R. 4808), Mr. Sharp: An Act entitled the "Solar, Wind, Waste, and Geothermal Power Production Incentives Act of 1990." This Act incorporates provisions contained in the following:

(S. 2415), Mr. Domenici, et al.: A bill entitled the "Solar and Geothermal Power Production Incentives Act of 1990."

(H.R. 2783), Mr. Vento, et al.: A bill entitled the "Minnesota Public Lands Improvement Act of 1989."

Public Law 101-508 (H.R. 5835), Title IV—Energy and natural resource programs, Omnibus Budget Reconciliation Act of 1990.

OTHER MEASURES ACTIVELY CONSIDERED

S. 780, Mr. Johnston and Mr. McClure (by request): A bill to provide for the disposition of excess Federal land located on Guam, and for other purposes. (A substitute text was incorporated into S. 2841 which was reported and passed the Senate, S. Rept. 101-392).

S. 2362, Mr. Johnston, Mr. Inouye, Mr. McClure, Mr. Murkowski and Mr. Stevens: A bill to enhance the survivability and recovery of the insular areas from severe storms. (Reported, S. Rept. 101-363, and passed Senate and House).

S. 2841, Mr. McClure: A bill to authorize appropriation of $2,500,000 to complete the renovation of the Guam Memorial Hospital. (Passed Senate).

S.J. Res. 154, Mr. Johnston (by request) and Mr. Matsunaga: A resolution consenting to certain amendments enacted by the legislature of the State of Hawaii to the Hawaiian Homes Commission Act, 1920. (Passed Senate).

S. 2420, Mr. Johnston: The Waste Isolation Pilot Plant Land Withdrawal Act. (Hearing held. S. Hrg. 101-844).

SUBCOMMITTEE ON ENERGY REGULATION AND CONSERVATION

TIMOTHY E. WIRTH, Colorado, *Chairman**
DANIEL K. AKAKA, Hawaii, *Vice Chairman*

BILL BRADLEY, New Jersey
JEFF BINGAMAN, New Mexico
DON NICKLES, Oklahoma
FRANK H. MURKOWSKI, Alaska
PETE V. DOMENICI, New Mexico

JURISDICTION

During the 101st Congress the jurisdiction of the Subcommittee on Energy Regulation and Conservation included oversight and legislative responsibilities for Federal energy conservation programs; energy information; commercialization of new technologies (e.g. wind, solar, ocean thermal energy conversion); liquefied natural gas projects; oil and gas pipelines and pipeline regulation; regulatory functions of ERA; refinery policy; gasoline rationing; natural gas pricing and regulation; emergency preparedness, petroleum allocation and coal conversion (Fuel Use Act).

OVERSIGHT ACTIVITIES

The Subcommittee held 2 days of oversight hearings as follows: automobile fuel efficiency standards (1 day); and significant price increases in petroleum products since the Valdez oilspill (1 day).

Automobile Fuel Efficiency Standards

The Subcommittee held a hearing on the automobile fuel efficiency standards. The hearing examined the nation's increasing dependence on imported oil, the potential for increasing automobile fuel efficiency in order to reduce this dependence, and the difficulties associated with increasing fuel efficiency.

Petroleum Price Increases

The Subcommittee held a hearing examining the causes and results of dramatic price increases in crude oil, gasoline, and other refined petroleum products that occurred in the days and weeks following the Exxon Valdez grounding and spill in Alaska's Prince William Sound on March 24, 1989.

LEGISLATIVE ACTIVITIES

During the 101st Congress, 16 Senate bills were referred to the Subcommittee.

The Subcommittee held hearings on six bills: S. 247, to amend the Energy Policy and Conservation Act to increase the efficiency and effectiveness of State energy conservation programs carried

* Senator Howard Metzenbaum served as Subcommittee chairman until he left the Committee in May, 1990.

out pursuant to such act, and for other purposes; S. 1355, to assist private industry in establishing a uniform residential energy efficiency rating system, and for other purposes; S. 2177, to improve the collection and dissemination of information relating to the supply of winter heating fuels, and for other purposes; S. 2191 (jointly at full Committee) to amend Part 3, title V, of the National Energy Conservation Policy Act; S. 2923, to amend title III of the Energy Policy and Conservation Act to conserve valuable natural resources primarily through energy production to enhance energy efficiency, and to clarify the status of materials for energy production under the Public Utilities Regulatory Policy Act and the Federal Power Act; and S. 3085, to limit the jurisdiction of the Federal Energy Regulatory Commission over local distribution company wholesalers of natural gas for ultimate consumption as a fuel in motor vehicles.

MEASURES ENACTED INTO LAW

Public Law 101-440 (S. 247), Mr. Metzenbaum, et al.: An Act to amend the Energy Policy and Conservation Act to increase the efficiency and effectiveness of State energy conservation programs carried out pursuant to such Act, and for other purposes.

OTHER MEASURES ACTIVELY CONSIDERED

S. 1355, Mr. Bumpers, Mr. Jeffords, Mr. Adams, Mr. Matsunaga and Mr. Stevens: A bill to assist private industry in establishing a uniform residential energy efficiency rating system. (Hearing held. S. Hrg. 101-679).

S. 2177, Mr. Lieberman, Mr. Levin, Mr. Kohl, Mr. Cohen, Mr. Pell, Mr. Dodd, Mr. Moynihan, Mr. Leahy, Mr. Bradley, Mr. Grassley, Mr. Daschle, Mr. Gore, Mr. Sanford and Mr. Lautenberg: A bill to improve the collection and dissemination of information relating to the supply of winter heating fuel. (Hearing held. S. Hrg. 101-963).

S. 2191, Mr. Johnston, Mr. Wirth, Mr. Lieberman, and Mr. McClure: A bill to amend part 3, title V, of the National Energy Conservation Policy Act. (Hearing held. S. Hrg. 101-671, substitute text included in S. 324, reported S. Rept. 101-361, Passed Senate).

S. 2923, Mr. Wirth and Mr. Heinz: A bill to amend title III of the Energy Policy and Conservation Act to conserve valuable natural resources primarily through energy production to enhance energy efficiency, and to clarify the status of materials for energy production under the Public Utilities Regulatory Policy Act and the Federal Power Act. (Hearing held. S. Hrg. 101-658) (Reported to Senate with amendments and amendment to the title. (S. Rept. 101-478).

S. 3085, Mr. Johnston, Mr. Bingaman, Mr. Wirth, Mr. Domenici, Mr. Bumpers, Mr. Nickles and Mr. Bradley: A bill to limit the jurisdiction of the Federal Energy Regulatory Commission over local distribution company wholesalers of natural gas for ultimate consumption as a fuel in motor vehicles. (Hearing held. S. Hrg. 101-552).

SUBCOMMITTEE ON ENERGY RESEARCH AND DEVELOPMENT

WENDELL H. FORD, Kentucky, *Chairman*
JOHN D. ROCKEFELLER IV, West Virginia, *Vice Chairman*

DALE BUMPERS, Arkansas
TIMOTHY E. WIRTH, Colorado
HOWELL T. HEFLIN, Alabama
DANIEL K. AKAKA, Hawaii

PETE V. DOMENICI, New Mexico
MITCH MCCONNELL, Kentucky
DON NICKLES, Oklahoma
CONRAD BURNS, Montana
JAKE GARN, Utah

JURISDICTION

The jurisdiction of the Subcommittee on Energy Research and Development included oversight and legislative responsibilities for nuclear R&D; coal and synfuels R&D; nuclear and nonnuclear energy commercialization projects; nuclear fuel cycle policy, including uranium resources; new technologies R&D (e.g., conservation, solar, OTEC, and MHD); nuclear facilities siting; and breeder reactor development.

OVERSIGHT ACTIVITIES

The Subcommittee on Energy Research and Development held 9 days of oversight hearings during the 101st Congress: on the Department of Energy's funding request for the Superconducting Super Collider (2 days); the status of the current and future use of alternative motor vehicle fuels in the United States (1 day); the Department of Energy's role in the area of magnetic fusion and inertial confinement fusion research and development and demonstration (1 day); the Department of Energy's recent activities in the area of fossil energy research and development and the clean coal technology program (1 day); the Department of Energy's Uranium Enrichment Enterprise (2 days); the human genome project (1 day); and the current operations and future mission of the Department of Energy's national laboratories (1 day).

A joint field hearing by the Subcommittee on Research and Development and the Subcommittee on Mineral Resources Development and Production was held in Albuquerque on progress in developing and promoting programs to further the use of renewable energy sources.

Oversight activities of particular importance were:

Superconducting Super Collider

The Subcommittee held 2 days of hearings on the Department of Energy's Superconducting Super Collider project in Waxahatchie, Texas and the budgetary effects on other basic energy science projects.

During the second session of the 101st Congress, legislation passed by the House, H.R. 4380, which would have limited the Department's flexibility in administering the project, was referred to

the Subcommittee. The Subcommittee's oversight hearings revealed concerns about the Department's management of the project and its impact on other DOE science programs. These concerns suggest the need for strong oversight of the program in future Congresses when the budgetary impact of this program will become highly significant and the need for effective management will be great.

Uranium Enrichment Enterprise and the Smith-Barney Report

The Subcommittee held 2 days of hearings on the status of the Department of Energy's uranium enrichment program. These hearings reviewed the FY 1991 budget proposals of the Administration affecting uranium enrichment and also received testimony describing the findings of the report by Smith Barney Harris Upham & Co., Inc. on the DOE uranium enrichment enterprise. This report, commissioned by DOE, confirmed the analysis relied on by the Committee in developing S. 83, legislation to restructure the enterprise that was reported by the Committee and passed the Senate twice.

The Human Genome Project

The Subcommittee held one hearing on the Department of Energy's human genome project. This hearing reviewed the progress and promise in this project, which is expected to consume approximately $3 billion in research funding over the next decade. The hearing also revealed significant concern that the allocation of funds to the project may reduce funding available for investigation-initiated biomedical research.

High-Performance Computing

The Subcommittee held one hearing on high-performance computing activities within the Department of Energy and on S. 1976, the Department of Energy High-Performance Computing Act of 1990. Witnesses at the hearing all supported expanded efforts by the Federal Government to promote high-performance computing, particularly by the Department of Energy. The Department of Energy's role in a national high-performance computing initiative will continue to be an issue in the 102d Congress.

Department of Energy's National Laboratories

The Subcommittee held one hearing on the Department of Energy's national laboratories. The purpose of this hearing was to hear testimony on the current operations and ongoing programs at the national laboratories and to begin the Subcommittee's review of the future role and mission of the laboratories. The Subcommittee heard testimony from the Energy Secretary James Watkins on initiatives to enhance the nation's scientific and technology capability through better utilization of the resources of the laboratory system and on initiatives in math and science education that would utilize the expertise of the labs. The Subcommittee also heard from the directors of many of the national laboratories with respect to ongoing programs and with respect to the labs' own efforts to address their future role and mission. The Subcommittee anticipates additional hearings and possible legislation in the 102d Congress.

LEGISLATIVE ACTIVITIES

During the 101st Congress, 19 Senate bills and 3 House bills were referred to the Subcommittee. The Subcommittee held a total of 13 days of legislative hearings.

Three days of hearings were held on S. 83, the Comprehensive Uranium Act of 1990. The full Committee addressed this bill during a business meeting, and reported with an amendment in the nature of a substitute on June 7, 1989 (S. Rept. 101-60). On July 20, 1989, the Senate passed S. 83. Passed again on October 23, 1990 as amendment to H.R. 4808.

The Subcommittee held 3 days of hearings on S. 964, the Civilian Energy Programs Authorization for Fiscal Years 1990 and 1991. The second day of hearings included testimony on S. 488, Renewable Energy and Energy Efficiency Technology Competitiveness Act. The third day of hearings included testimony on the Department of Energy's activities regarding fossil energy and clean coal in addition to the Department of Energy's Fiscal Year 1990 budget on fossil energy programs. S. 488 was amended and reported by the full Committee on July 19, 1989 (S. Rept. 101-107). The legislation passed the Senate by voice vote on September 22, 1989. On November 17, 1989, the House passed H.R. 1216 in lieu of S. 488 and the bill became Public Law 101-218 on December 11, 1989.

The Subcommittee held one hearing on S. 1976, the Department of Energy High-Performance Computing Act of 1990. The full Committee reported the bill to the Senate on July 19, 1990 (S. Rept. 101-377). The Senate passed S. 1976 as part of S. 1067, the National High-Performance Computing Initiative, on October 24, 1990.

The Subcommittee held one hearing on S. 775, a bill to create a metal casting research program within the Department of Energy. The full Committee reported the House companion bill to S. 775, H.R. 1243, to the Senate on March 28, 1990 (S. Rept. 101-258). H.R. 1243 became law on October 15, 1990 (P.L. 101-425).

One hearing was held by the Subcommittee on S. 639, to establish a hydrogen research and development program. The full Committee reported the legislation on June 20, 1990 (S. Rept. 101-386). S. 639 passed the Senate on October 16, 1990 and passed the House on October 23, 1990. The President signed this legislation into law on November 15, 1990 (P.L. 101-566).

Other bills referred to the Subcommittee were S. 847, a bill to maintain a competitive, financially strong, and secure uranium enrichment capability in the United States by reorganizing the uranium enrichment enterprise; S. 1377, a bill to provide a method under which the State of New Mexico can continue certain Federal highway road work; S. 1626, a bill to establish within the Office of Minority Economic Impact of the Department of Energy programs involving loans and grants to enhance the development and operation of minority business enterprises with respect to energy-related business and also amend the Nuclear Waste Policy Act of 1982 to permit the investment of certain funds in the Minority Bank Deposit Program of the Department of the Treasury; S. 1958, a bill to amend the Occupational Safety and Health Act of 1970 to improve and enforce standards for employee health and safety at Department of Energy nuclear facilities; S. 1966, the Advanced Nuclear

Reactor Research, Development, and Demonstration Act of 1989; S. 2856, the Department of Energy Science and Education Enhancement Act; S. 2949, to establish the Fast Flux Test Facility as an international research and development center; and S. 3007, a bill to establish the Spark M. Matsunaga National Energy Research Laboratory and make funds available to the laboratory for OTEC research.

MEASURERS ENACTED INTO LAW

Public Law 101-218 (S. 488), Mr. Fowler: An Act entitled the Renewable Energy and Energy Efficiency Technology Competitiveness Act of 1989.

Public Law 101-425 (S. 775), Mr. Shelby: An Act entitled the Department of Energy Metal Casting Competitiveness Research Act of 1990.

Public Law 101-566 (S. 639), Mr. Matsunaga: An Act to establish the Spark M. Matsunaga Hydrogen Research, Development, and Demonstration Program Act of 1990.

OTHER MEASURES ACTIVELY CONSIDERED

S. 550, Mr. Domenici, Mr. Bingaman, Mr. McClure, Mr. Murkowski, and Mr. Garn: A bill to establish the Department of Energy National Laboratory Cooperative Research and Technology Competitiveness Act of 1989. (Reported to Senate with an amendment in the nature of a substitute. S. Rept. 101-108).

S. 634, Mr. Matsunaga, Mr. Murkowski, Mr. Bingaman, Mr. Inouye, Mr. Wirth, Mr. Pell, Mr. Lieberman and Mr. Sanford: A bill to establish the Fuel Cells Energy Utilization Act of 1989. (Reported to the Senate without an amendment. S. Rept. 101-53). (Passed Senate, referred to House Committee on Energy and Commerce).

S. 635, Mr. Matsunaga, Mr. Murkowski, Mr. Bingaman, Mr. Inouye, Mr. Wirth, Mr. Pell, Mr. Lieberman, Mr. Boschwitz and Mr. Sanford: A bill to establish the Renewable Energy/Fuel Cell Systems Integration Act of 1989. (Reported to the Senate without amendment. S. Rep. 101-52). (Passed Senate).

S. 1848, Mr. Bingaman, Mr. Ford and Mr. Breaux: The Natural Gas Cofiring Promotion Act of 1989. (Hearing held. S. Hrg. 101-963).

SUBCOMMITTEE ON MINERAL RESOURCES DEVELOPMENT AND PRODUCTION

JEFF BINGAMAN, New Mexico, *Chairman*
HOWELL T. HEFLIN, Alabama, *Vice Chairman*

DALE BUMPERS, Arkansas
WENDELL H. FORD, Kentucky
KENT CONRAD, North Dakota
FRANK MURKOWSKI, Alaska
MITCH MCCONNELL, Kentucky
MALCOLM WALLOP, Wyoming
DON NICKLES, Oklahoma

JURISDICTION

The jurisdiction of the Subcommittee includes oversight and legislative responsibilities for energy and nonfuel mineral resources; Federal mineral leasing; national mining and minerals policy and general mining laws; surface mining, reclamation and enforcement; coal production, distribution and utilization; oil and gas production and distribution; mining education and research; minerals exploration, development and production from public and acquired lands; mineral conservation; royalty management; coal severance tax; Naval Petroleum and Oil Shale Reserves; deep water ports; and deep seabed mining.

OVERSIGHT ACTIVITIES

The Subcommittee held 7 days of oversight hearings on: natural gas supply and deliverability; gas inventory charges; competitiveness of New Mexico natural gas; the impact of past uranium mining practices, the infrastructure of the domestic oil and gas industry; reclamation and bonding practices associated with hard rock mining on Federal and State lands; and the status of renewable and other alternative energy sources.

Oversight activities of particular importance were:

Hardrock Mining Reclamation and Bonding Practices

The Subcommittee held a hearing to examine reclamation and bonding practices associated with hard rock mining. Testimony addressed the strengths and weaknesses of State and Federal reclamation and bonding programs. Differences between the surface management regulations of the Bureau of Land Management and Forest Service.

Competitiveness of New Mexico Natural Gas

The Subcommittee held a field hearing in Farmington, New Mexico to consider the effect of interstate natural gas pipeline capacity constraints and pipeline rate design methodologies on the competitiveness of New Mexico natural gas in consuming markets and, in particular, the California market.

Natural Gas Inventory Charges

The Subcommittee held a hearing to consider the effect that methodologies under consideration by the Federal Energy Regulatory Commission for determining interstate natural gas pipeline gas inventory charges might have on the wellhead price for natural gas.

Natural Gas Supply and Deliverability

The Subcommittee held a hearing to consider the supply and demand relationship for natural gas in the 1990s. In particular, the Subcommittee considered the imminent transition from the period of excess production capability that defined the natural gas market for much of the 1980s, i.e., the gas "bubble", to a period when supply and demand will be in greater balance and when there will be potentially significant new demand for natural gas.

Infrastructure of the Domestic Oil and Gas Industry

The Subcommittee held a field hearing in Roswell, New Mexico to consider the status of the infrastructure of the domestic oil and gas industry.

Renewable and Other Alternate Energy Sources

In conjunction with the Subcommittee on Energy Research and Development, the Subcommittee held a field hearing in Albuquerque, New Mexico to consider the status of renewable and other alternate energy technologies.

LEGISLATIVE ACTIVITIES

During the 101st Congress, 16 Senate bills and 9 House bills were referred to the Subcommittee.

The Subcommittee held 7 days of legislative hearings on seven of these measures. Those of particular interest included:

Abandoned Mine Land Reclamation.—The Abandoned Mine Reclamation Act of 1990 (Act) is included as Title IV of Public Law 101-508, the Omnibus Reconciliation Act of 1990. The Act amends the Surface Mining Control and Reclamation Act of 1977 to reauthorize the collection of coal reclamation fees through September 30, 1995, and earmarks portions of the Abandoned Mine Reclamation (AML) Fund for specific uses, including a specific amount for the Rural Abandoned Mine Program. The statute also authorizes States to use a portion of the AML Fund for State acid mine drainage abatement funds, expands the use of AML Funds for water projects, expressly authorizes the use of the Fund for "interim" site reclamation, and expands eligibility for the Small Operators Assistance Program.

Strategic and Critical Minerals (H.R. 4111).—Public Law 101-498 amends the Mining and Mineral Resources Research Institute Act of 1984 to provide for the establishment of a Strategic Resources Mineral Technology Center. The purpose of the Center is to improve existing, and develop new, technologies to decrease U.S. dependence on supplies of strategic and critical minerals.

Oil Shale Mining Claims.—The Subcommittee held one hearing on S. 30, which was reported by the Committee but not enacted

into law. S. 30 as reported by the Committee provided for categories of treatment of oil shale mining claims located pursuant to the Mining Law of 1872. Oil shale mining claims legislation was considered in the context of budget reconciliation both in 1989 and 1990, but was not enacted into law.

Mining Law of 1989 (S. 1126).—The Subcommittee held two hearings on S. 1126, legislation to provide for the disposition of hardrock minerals on Federal lands, although the bill was not considered by the full Committee. S. 1126, as introduced, would enhance surface management regulation, establish certain fees, require an 8 percent production royalty and provide for patenting of only the minerals. The Subcommittee held a general legislative hearing on the bill, followed by a hearing on the royalty and fee provisions of S. 1126.

Stock Raising Homestead Act (S. 1908).—The Subcommittee held a hearing on S. 1908, the Stock Raising Homestead Amendments Act, but the legislation was not considered by the full Committee. Under the Stock Raising Homestead Act of 1916, patents were issued to lands for stock raising, but the mineral estate remained with the United States. S. 1908 would provide for additional procedures for gaining access to, and undertaking mining activities on, stock raising homestead lands.

MEASURES ENACTED INTO LAW

Title IV of Public Law 101-508 (H.R. 2095), Mr. Rahall: An Act to amend the Surface Mining Control and Reclamation Act of 1977 to reauthorize the collection of reclamation fees.

Public Law 101-567 (S. 1805), Mr. Inouye (H.R. 3727), Mr. Akaka: An Act to provide procedures to reinstate certain oil and gas leases.

Public Law 101-178 (S. 1700), Mr. Bingaman (H.R. 2120), Mr. Craig: An Act to amend the Deep Seabed Hard Mineral Resources Act to authorize appropriations to carry out the provisions of the Act for fiscal years 1990 through 1994.

Public Law 101-498 (H.R. 4111), Mr. Craig: An Act to amend the Mining and Mineral Resources Research Institute Act of 1984.

SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS AND FORESTS

DALE BUMPERS, Arkansas, *Chairman*

BILL BRADLEY, New Jersey
JEFF BINGAMAN, New Mexico
TIMOTHY E. WIRTH, Colorado
KENT CONRAD, North Dakota
JOHN D. ROCKEFELLER IV, West Virginia
MALCOLM WALLOP, Wyoming
MARK O. HATFIELD, Oregon
CONRAD BURNS, Montana
JAKE GARN, Utah
PETE DOMENICI, New Mexico

JURISDICTION

The jurisdiction of the Subcommittee on Public Lands, National Parks and Forests includes oversight and legislative responsibilities for the public lands administered by the Bureau of Land Management, National Forest System, National Park System, National Wilderness Preservation System, Wild and Scenic Rivers System and National Trails System; establishment of wildlife refuges on public lands; Alaska Native Claims Settlement Act; Alaska National Interest Lands Conservation Act; reserved water rights, military land withdrawals; national recreation areas; national monuments; historic sites; military parks and battlefields; Land and Water Conservation Fund; historic preservation; renewable resources; outdoor recreation resources; and on the public domain, preservation of prehistoric ruins and objects of interest.

OVERSIGHT ACTIVITIES

The Subcommittee held four oversight hearings during the 101st Congress. Two of the hearings addressed the concessions policies of the National Park Service, focusing on recently released reports by the Department of the Interior's Office of the Inspector General and the Task Force on Park Service Concessions Activities.

The Subcommittee also held an oversight hearing on the "Report of the Interagency Scientific Committee to Address the Conservation of the Northern Spotted Owl."

The Subcommittee held a joint oversight hearing with the Committee on Agriculture, Nutrition and Forestry to examine the effectiveness of the National Forest Planning Process in enabling the Forest Service to manage the National Forest System's renewable resources for multiple use and sustained yield purposes.

LEGISLATIVE ACTIVITIES

During the 101st Congress 152 Senate bills, 1 Senate Joint Resolution and 69 House bills were referred to the Subcommittee.

The Subcommittee conducted 41 days of legislative hearings. The Congress enacted 3 private laws and 64 public laws (comprising some 85 separate bills) within the jurisdiction of the Subcommittee. As discussed below, those of particular interest include the Tongass Timber Reform Act, the Everglades National Park Protection and

Expansion Act, the Arizona Desert Wilderness Act, the Nevada Wilderness Protection Act, the Petroglyph National Monument Establishment Act, the Civil War Sites Study Act, legislation providing for increased protection of marine resources within units of the National Park System, legislation establishing the Red Rock Canyon National Conservation Area in Nevada, legislation establishing the Grand Island and Smith River National Recreation Areas in Michigan and California, respectively, and legislation adding several rivers to the National Wild and Scenic River System.

Tongass Timber Reform

The Tongass Timber Reform Act, Public Law 101-626, amends the Alaska National Interest Lands Conservation Act (ANILCA) to make several major modifications with respect to the management of the Tongass National Forest in Alaska.

The Act repeals the annual $40 million direct appropriation which ensured that at least 4.5 billion board feet of timber from the Tongass was made available each decade. Instead, the Secretary of Agriculture is directed, consistent with providing for the multiple use and sustained yield of all forest resources, to seek to meet market demand for timber from the Tongass. The Act also modifies two long-term timber contracts between the Forest Service and the Alaska Pulp Corporation and the Ketchikan Pulp Company to promote better competition.

The Act designates six areas totaling approximately 299,152 acres as components of the National Wilderness Preservation System. Twelve other areas, totaling approximately 722,482 acres are to be managed in perpetuity in accordance with Land Use Designation II (LUD II), as defined in the Tongass Land Management Plan.

Everglades National Park Expansion

The Everglades National Park Protection and Expansion Act of 1989, Public Law 101-229, added approximately 107,600 acres to the park. The expansion area contains the northeast portion of the Shark River Slough, which is the major source of water entering the park. The Act directs the Army Corps of Engineers to modify the Central and South Florida Water Project to improve water deliveries into the park and to restore, to the maximum extent practicable, the natural hydrological conditions of the park.

Arizona Wilderness

The Arizona Desert Wilderness Act, titles I through III of Public Law 101-628, represents the first comprehensive State-wide wilderness bill affecting lands administered by the Bureau of Land Management. The Act designates wilderness in 39 areas totaling approximately 1.1 million acres. The Act also establishes the 21,000 acre Gila Box Riparian National Conservation Area and designates approximately 1.3 million acres of wilderness in four National Wildlife Refuges in Arizona, the first such Congressional designation of wilderness within refuges since 1980.

Nevada Wilderness

The Nevada Wilderness Protection Act of 1989, Public Law 101-195, designates approximately 733,400 acres of National Forest System lands in Nevada as components of the National Wilderness Preservation System. The Act marks the completion of the Forest Service's Roadless Area Review and Evaluation (RARE II) process in Nevada. Statewide RARE II wilderness bills have now been enacted for all applicable States except for Montana and Idaho.

Petroglyph National Monument

The West Mesa is a 17-mile long basalt escarpment located west of Albuquerque, New Mexico, which contains over 17,000 petroglyphs. Public Law 101-313 establishes the Petroglyph National Monument, consisting of 5,280 acres along the escarpment. Some of the petroglyphs located within the monument date back as far as 1000 B.C.

The Act provides for the joint management of the monument by the National Park Service, City of Albuquerque and the State of New Mexico, provided that the City and the State enter into a binding agreement with the United States to manage the monument in perpetuity in accordance with applicable Federal law. The Act provides for the addition of approximately 1,994 acres which are currently owned or are being acquired by the City and the State upon the execution of such an agreement.

Civil War Issues

The Committee considered and passed several bills relating to the interpretation and preservation of sites associated with the Civil War, reflecting the increased interest and awareness in the subject.

Title XII of Public Law 101-628, the Civil War Sites Study Act, establishes a 13 member Civil War Sites Advisory Commission to conduct a two year nationwide study of historically significant sites and structures associated with the Civil War. The study is to identify sites, determine the relative significance of the sites, and recommend Federal, State and local preservation alternatives. Upon the completion of its study, the Commission is to submit its report and recommendations to the Secretary of the Interior and the Congress.

The Act also directs the Secretary of the Interior to conduct a one year study of Civil War sites located in Virginia's Shenandoah Valley, and to report to Congress on preservation and protection alternatives.

Legislation was also enacted this Congress expanding the boundaries of the Gettysburg, Fredericksburg and Vicksburg battlefields. In addition, the boundaries of the Pecos National Historical Park in New Mexico were enlarged to include the Glorietta battlefield.

Protection of National Park Marine Resources

Public Law 101-337 authorizes the Secretary of the Interior, acting through the Attorney General, to initiate legal actions against individuals who damage or destroy marine or Great Lakes aquatic resources within units of the National Park System. The

Act also allows any money recovered as a result of such legal actions to be available, without further appropriation, for the restoration and replacement of the damaged or destroyed resources. Prior to the enactment of this Act, all sums recovered were deposited into the general fund in the Treasury, and not specifically designated to replace the damaged resources.

Red Rock Canyon National Conservation Area

Public Law 101-621 establishes the 83,100 acre Red Rock Canyon National Conservation Area in Nevada. Located in the Mohave Desert approximately 20 miles west of Las Vegas, the area is rich in geologic, scenic, wildlife and recreational resources. The Canyon is named for the brown, pink and reddish colors of the limestone and sandstone formations.

More than 300 archeological sites have been recorded within area, which has been home to the prehistoric Anasazi and Pueblo Indians, and later the Paiutes. Red Rock Canyon also provides important habitat for a diverse wildlife population, including endangered or threatened species such as the desert tortoise, Gila Monster, peregrine falcon and golden eagle. The conservation area is to be administered by the Bureau of Land Management.

Grand Island National Recreation Area

Public Law 101-292 designates Grand Island, the second largest island in Lake Superior, as a National Recreation Area to be administered by the Forest Service and includes the area within the Hiawatha National Forest. The island, which encompasses approximately 13,500 acres, contains old growth stands of beech and white pine, and provides important habitat for a wide variety of animals, including black bears, beavers, and deer. In the center of the island is Echo Lake, one of the largest beaver-formed lakes in the world. Grand Island also provides important and varied recreational opportunities ranging from hiking, camping and boating in the summer to snow-related activities in the winter.

Smith River National Recreation Area

Public Law 101-612 designates approximately 300,000 acres in the Six Rivers National Forest in northwestern California as the Smith River National Recreation Area. The Smith River is the last major undammed river in the State. The recreation area contains six lakes, coastal redwood forests, conifer and hardwood forests, high elevation plateaus, and mountain meadows. The exceptionally clear waters of the Smith River provide prime habitat for salmon, steelhead, and rainbow and brook trout. Several threatened and endangered species inhabit the area, including bald eagles and peregrine falcons. The area also provides diverse recreational opportunities, including hunting, fishing, boating and hiking.

The Act also adds several river segments to the National Wild and Scenic Rivers System, including segments of the Smith River, the Middle Fork of the Smith River, the North Fork of the Smith River, the Siskiyou Fork of the Smith River, and the South Fork of the Smith River.

Additions to the Wild and Scenic Rivers System

During the 101st Congress, several bills were enacted adding rivers to the National Wild and Scenic Rivers System or designating them as rivers to be studied for potential addition to the system. Rivers designated as wild, scenic, or recreational components of the Wild and Scenic Rivers System included the East Fork of the Jemez and Pecos in New Mexico and the Clark's Fork in Wyoming, and segments of the Smith River in California and its tributaries. In addition, a segment of the Genesee River in New York was provided with similar protection, although not as a component of the Wild and Scenic Rivers System.

Rivers designated as Wild and Scenic Study Rivers included the Merimack and Pemigewasset rivers in New Hampshire, the St. Mary's in Georgia, the Sudbury, Assabet and Concord rivers in Massachusetts, and the Mills river in North Carolina.

MEASURES ENACTED INTO LAW

Private Law 101-4 (S. 1128), Mr. Cranston: An Act for the relief of Richard Saunders.

Private Law 101-8 (S. 2680), Mr. Bumpers and Mr. Pryor: An Act to provide for the conveyance of lands to certain individuals in Stone County, Arkansas.

Private Law 101-15 (S. 620), Mr. Stevens: An Act for the relief of Leroy W. Shebal of North Pole, Alaska.

Public Law 101-40 (H.R. 964), Mr. Bevill: An Act to correct an error in Private Law 100-29 (relating to certain lands in Lamar County, Alabama) and to make technical corrections in certain other provisions of law.

Public Law 101-67 (H.R. 1485), Mrs. Vucanovich, et al.: An Act to direct the sale of certain lands in Clark County, Nevada, to meet national defense and other needs; to authorize the sale of certain other lands in Clark County, Nevada; and for other purposes.

Public Law 101-68 (H.R. 310), Mr. Olin, et al.: An Act to remove a restriction from a parcel of land in Roanoke, Virginia, in order for that land to be conveyed to the State of Virginia for use as a veteran's nursing home.

Public Law 101-70 (H.R. 999), Mrs. Boggs, et al.: An Act to reauthorize the Advisory Council on Historic Preservation.

Public Law 101-105 (H.R. 419), Mr. Wheat, et al.: An Act to provide for the addition of certain parcels to the Harry S Truman National Historic Site in the State of Missouri.

Public Law 101-106 (H.R. 1529), Mr. Gephardt, et al.: An Act to provide for the establishment of the Ulysses S. Grant National Historic Site in the State of Missouri, and for other purposes.

Public Law 101-109 (S. 85), Mr. Byrd and Mr. Rockefeller: An Act to authorize the acceptance of certain lands for addition to Harpers Ferry National Historical Park, West Virginia.

Public Law 101-175 (S. 931), Mr. Moynihan and Mr. D'Amato: An Act to protect a segment of the Genesee River in New York.

Public Law 101-177 (H.R. 1310), Ms. Morella, et al.: An Act to redesignate a certain portion of the George Washington Memorial Parkway as the "Clara Barton Parkway".

Public Law 101-184 (S. 818), Mr. Bingaman and Mr. Domenici: An Act to commemorate the contributions of Senator Clinton P. Anderson to the establishment of the National Wilderness Preservation System, and for other purposes.

Public Law 101-187 (S.J. Res. 207), Mr. Johnston: An Act approving the location of the memorial to the women who served in the Vietnam War.

Public Law 101-191 (S. 338), Mr. Harkin, et al.: An Act to authorize the Secretary of the Interior to provide for the development of a trails interpretation center in the city of Council Bluffs, Iowa, and for other purposes.

Public Law 101-192 (S. 737), Mr. Wirth and Mr. Armstrong: An Act to adjust the boundary of Rocky Mountain National Park.

Public Law 101-195 (S. 974), Mr. Reid and Mr. Bryan: An Act to designate certain lands in the State of Nevada as wilderness, and for other purposes.

Public Law 101-214 (H.R. 875), Mr. Slaughter: An Act to expand the boundaries of the Fredericksburg and Spotsylvania County Battlefields Memorial National Military Park near Fredericksburg, Virginia.

Public Law 101-229 (H.R. 1727), Mr. Fascell, et al.: An Act to modify the boundaries of the Everglades National Park and to provide for the protection of lands, waters, and natural resources within the park, and for other purposes.

Public Law 101-292 (H.R. 1472), Mr. Kildee, et al.: An Act to establish the Grand Island National Recreation Area in the State of Michigan, and for other purposes.

Public Law 101-306 (H.R. 644), Mr. Richardson: An Act to amend the Wild and Scenic Rivers Act by designating segments of the East Fork of the Jemez and Pecos Rivers in New Mexico as components of the National Wild and Scenic Rivers System.

Public Law 101-313 (S. 286), Mr. Domenici, et al.: An Act to establish the Petroglyph National Monument and Pecos National Historical Park in the State of New Mexico, and for other purposes.

Public Law 101-320 (H.R. 3545), Mrs. Byron, et al.: An Act to amend the Chesapeake and Ohio Canal Development Act to make certain changes relating to the Chesapeake and Ohio Canal National Historical Park Commission.

Public Law 101-321 (H.R. 3834), Mr. Lewis, et al.: An Act to amend the National Trails System Act to designate the route from Selma to Montgomery for study for potential addition to the National Trails System.

Public Law 101-337 (H.R. 2844), Mr. Vento, et al.: An Act to improve the ability of the Secretary of the Interior to properly manage certain resources of the National Park System.

Public Law 101-344 (H.R. 2843), Mr. Udall, et al.: An Act to establish the Tumacacori National Historical Park in the State of Arizona.

Public Law 101-356 (S. 1046), Mr. Rudman and Mr. Humphrey: An Act to amend the Wild and Scenic Rivers Act of 1968 by designating a segment of the Merrimack River in the State of New Hampshire for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes.

Public Law 101-357 (S. 1524), Mr. Humphrey and Mr. Rudman: An Act to amend the Wild and Scenic Rivers Act of 1968 by designating segments of the Pemigewasset River in the State of New Hampshire for study as a National Wild and Scenic Rivers System, and for other purposes.

Public Law 101-364 (H.R. 76), Mr. Bennett, et al.: An Act to amend the Wild and Scenic Rivers Act to study the eligibility of the St. Marys River in the States of Florida and Georgia for potential addition to the Wild and Scenic Rivers System.

Public Law 101-365 (H.R. 1159), Mr. Miller, et al.: An Act to amend the National Trails System Act by designating the Juan Bautista de Anza National Historic Trail, and for other purposes.

Public Law 101-377 (H.R. 3248), Mr. Goodling: An Act to revise the boundary of Gettysburg National Military Park in the Commonwealth of Pennsylvania, and for other purposes.

Public Law 101-378 (S. 666), Mr. Murkowski: An Act to enroll twenty individuals under the Alaska Native Claims Settlement Act.

Public Law 101-386 (S. 2597), Mr. Domenici and Mr. Bingaman: An Act to amend the Act of June 20, 1910, to clarify in the State of New Mexico authority to exchange lands granted by the United States in trust, and to validate prior land exchanges.

Public Law 101-398 (H.R. 2174), Mr. Espy, et al.: An Act to provide for the establishment of the Mississippi River Corridor Study Commission, and for other purposes.

Public Law 101-399 (H.R. 4501), Mr. Parker: An Act to provide for the acquisition of the William Johnson House and its addition to the Natchez National Historical Park, and for other purposes.

Public Law 101-400 (S. 963), Mr. Domenici, et al.: An Act to authorize a study on methods to commemorate the nationally significant highway known as Route 66, and for other purposes.

Public Law 101-419 (S. 1738), Mr. Hatfield and Mr. Packwood: An Act to convey certain Oregon and California Railroad Grant Lands in Josephine County, Oregon, to the Rogue Community College District, and for other purposes.

Public Law 101-430 (S. 1230), Mr. Burdick: An Act to authorize the acquisition of additional lands for inclusion in the Knife River Indian Villages National Historic Site, and for other purposes.

Public Law 101-436 (H.R. 2809), Mr. Lehman: An Act to provide for the conveyance of certain lands to the State of California, and for other purposes.

Public Law 101-441 (S. 830), Mr. Pell, et al.: An Act to amend Public Law 99-647, establishing the Blackstone River Valley National Heritage Corridor Commission, to authorize the Commission to take immediate action in furtherance of its purposes and to increase the authorization of appropriations for the Commission.

Public Law 101-442 (S. 2437), Mr. Johnston and Mr. Cochran: An Act to authorize the acquisition of certain lands in the States of Louisiana and Mississippi for inclusion in the Vicksburg National Military Park, to improve the management of certain public lands in the State of Minnesota, and for other purposes.

Public Law 101-479 (H.R. 3888), Mr. Olin: An Act to allow a certain parcel of land in Rockingham County, Virginia, to be used for a child care center.

Public Law 101-485 (S. 2059), Mr. Lieberman, et al.: An Act to establish the Weir Farm National Historic Site in the State of Connecticut.

Public Law 101-499 (S. 2846), Mr. Johnston: An Act to authorize and direct the Secretary of the Interior to conduct a study of the feasibility of establishing a unit of the National Park System to interpret and commemorate the origins, development, and progression of jazz in the United States, and for other purposes.

Public Law 101-522 (H.R. 3840), Mr. Smith: An Act to establish the Newberry National Volcanic Monument in the State of Oregon, and for other purposes.

Public Law 101-523 (H.R. 5144), Ms. Unsoeld, et al.: An Act to provide for the study of certain historical and cultural resources located in the city of Vancouver, Washington, and for other purposes.

Public Law 101-536 (H.R. 4090), Mr. Richardson: An Act to authorize the establishment of the Glorieta National Battlefield in the State of New Mexico, and for other purposes.

Public Law 101-538 (H.R. 5004), Mr. Clarke: An Act to amend the Wild and Scenic Rivers Act to designate certain segments of the Mills River in the State of North Carolina for potential addition to the wild and scenic rivers system.

Public Law 101-543 (S. 1756), Mr. Mitchell and Mr. Cohen: An Act to provide for the preservation and interpretation of sites associated with Acadian culture in the State of Maine.

Public Law 101-556 (H.R. 4630), Mr. Richardson: An Act to authorize the Secretary of Agriculture to acquire and study certain lands in the State of New Mexico, and for other purposes.

Public Law 101-560 (H.R. 5507), Mr. Morrison: An Act regarding the Early Winters Resort.

Public Law 101-573 (H.R. 4107), Mr. Bliley, et al.: An Act to authorize the Secretary of the Interior to permit certain uses of lands within the Colonial National Historical Park in the Commonwealth of Virginia.

Public Law 101-578 (H.R. 5796), Mr. Richardson: An Act to conduct certain studies in the State of New Mexico.

Public Law 101-603 (H.R. 5497), Mr. Jones: An Act to authorize the Secretary of the Interior to acquire certain lands to be added to the Fort Raleigh National Historic Site in North Carolina.

Public Law 101-607 (S. 555), Mr. Graham, et al.: An Act to establish in the Department of the Interior the De Soto Expedition Trail Commission, and for other purposes.

Public Law 101-612 (S. 2566), Mr. McCain: An Act to establish the Smith River National Recreation Area, to redesignate the Sunset Crater National Monument, and for other purposes.

Public Law 101-621 (H.R. 4559), Mr. Bilbray: An Act to establish the Red Rock Canyon National Conservation Area.

Public Law 101-622 (H.R. 5264), Mr. Young: An Act to authorize modification of the boundaries of the Alaska Maritime National Wildlife Refuge.

Public Law 101-626 (H.R. 987), Mr. Mrazek, et al.: An Act to amend the Alaska National Interest Lands Conservation Act, to protect certain lands in the Tongass National Forest in perpetuity,

to modify certain long-term timber contracts, to provide for protection of riparian habitat, and for other purposes.

Public Law 101-628 (H.R. 2570), Mr. Udall: An Act to provide for the designation of certain public lands as wilderness in the State of Arizona.

Public Law 101-631 (H.R. 4567), Mr. Johnson: An Act to authorize an exchange of lands in South Dakota and Colorado.

Public Law 101-632 (H.R. 4834), Mr. Mavroules, et al.: An Act to provide for a visitor center at Salem Maritime National Historic Site in the Commonwealth of Massachusetts.

Public Law 101-634 (S. 319), Mr. Garn and Mr. Hatch: An Act to effect an exchange of lands between the United States Forest Service and the Salt Lake City Corporation within the State of Utah.

Public Law 101-636 (S. 1859), Mr. Warner, et al.: An Act to restructure payment terms and conditions for loans made by the Secretary of the Interior to the Wolf Trap Foundation for the Performing Arts for the reconstruction of the Filene Center in Wolf Trap Farm Park in Fairfax County, Virginia, and for other purposes.

RELATED PUBLIC LAWS

Public Law 101-108 (H.R. 2835), Mr. Pallone: An Act to provide for the relocation of certain facilities at the Gateway National Recreation Area, Sandy Hook, New Jersey, and for other purposes.

Public Law 101-610 (S. 1430), Mr. Kennedy: An Act to enhance national and community service, and for other purposes.

OTHER MEASURES ACTIVELY CONSIDERED

S. 11, Mr. Cranston, et al.: A bill to provide for the protection of the public lands in the California desert. (Hearings held. S. Hrg. 101-430).

S. 267, Mr. Symms and Mr. McClure: An Act to authorize the Secretary of the Interior to convey certain lands in Idaho to Mr. and Mrs. Kenneth Blevins of Kuna, Idaho. (Hearing held. S. Hrg. 101-117). (Reported to the Senate with an amendment. S. Rept. 101-61). (Passed Senate with an amendment). (See Public Law 101-628).

S. 280, Mr. Exon and Mr. Kerrey: A bill to amend the Wild and Scenic Rivers Act by designating a segment of the Niobrara River in Nebraska as a component of the National Wild and Scenic Rivers System. (Hearings held. S. Hrg. 101-43). (Reported to the Senate with an amendment in the nature of a substitute. S. Rept. 101-177). (Passed Senate with an amendment).

S. 370, Mr. Chafee, et al.: A bill to amend the Land and Water Conservation Fund Act and the National Historic Preservation Act, to establish the American Heritage Trust, for purposes of enhancing the protection of the Nation's natural, historical, cultural, and outdoor recreational heritage, and for other purposes. (Hearings held. S. Hrg. 101-754).

S. 371, Mr. McClure: A bill to designate certain National Forest System lands in the State of Idaho for inclusion in the National Wilderness Preservation System, to prescribe certain management formulae for certain National Forest System lands, and to release other forest lands for multiple-use management, and for other pur-

poses. (Hearings held. S. Hrg. 101-231). (Reported to the Senate with an amendment in the nature of a substitute. S. Rept. 101-179).

S. 374, Mr. Reid, et al.: A bill to amend the National Trails System Act to designate the Pony Express National Historic Trail as a component of the National Trails System. (Hearings held. S. Hrg. 101-453, Pt. 1). (See H.R. 1109).

S. 393, Mr. Garn and Mr. Hatch: An Act entitled the "Camp W.G. Williams Land Exchange Act of 1989". (Hearing held. S. Hrg. 101-453, Pt. 1). (Reported to the Senate with an amendment in the nature of a substitute and an amendment to the title. S. Rept. 101-225). (Passed Senate with an amendment and an amendment to the title). (See Public Law 101-628).

S. 456, Mr. Johnston: A bill to amend the National Trails System Act to designate the California National Historic Trail and Pony Express National Historic Trail as components of the National Trails System. (Hearings held. S. Hrg. 101-949). (See H.R. 1109).

S. 465, Mr. Cranston: A bill to amend the National Trails System Act by designating the Juan Bautista de Anza National Historic Trail, and for other purposes. (Hearings held. S. Hrg. 101-949). (See Public Law 101-365).

S. 558, Mr. Domenici and Mr. Bingaman: A bill to authorize a study on methods to protect and interpret the internationally significant Lechuguilla Cave at Carlsbad Caverns National Park in the State of New Mexico. (Hearings held. S. Hrg. 101-228). (Reported to the Senate with an amendment in the nature of a substitute. S. Rept. 101-109) (Passed Senate with an amendment).

S. 560, Mr. Bingaman and Mr. Domenici: A bill to direct the Secretary of the Interior to conduct a study of certain historic military forts in the State of New Mexico. (Hearings held. S. Hrg. 101-228). (Reported to the Senate with amendments. S. Rept. 101-87). (Passed Senate with amendments).

S. 798, Mr. Domenici, et al.: A bill to amend Title V of the Act of December 19, 1980, designating the Chaco Culture Archaeological Protection Sites, and for other purposes. (Hearings held. S. Hrg. 101-450). (Reported to the Senate with an amendment in the nature of a substitute. S. Rept. 101-307). (Passed Senate with an amendment).

S. 844, Mr. Bradley and Mr. Leahy: A bill to establish a National Park System Review Board, and for other purposes. (Hearings held. S. Hrg. 101-592).

S. 855, Mr. Bingaman and Mr. Domenici: An Act to direct the Secretary of the Interior to establish a Cave Research Institute at Carlsbad Caverns National Park. (Hearings held. S. Hrg. 101-228). (Reported to the Senate with an amendment in the nature of a substitute and an amendment to the title. S. Rept. 101-110). (See Public Law 101-313).

S. 866, Mr. Levin and Mr. Riegle: A bill to establish the Calumet Copper Country National Historical Park in the State of Michigan, and for other purposes. (Hearings held. S. Hrg. 101-552).

S. 1302, Mr. Bentsen: A bill to increase the size of the Big Thicket National Preserve in the State of Texas by adding the Village Creek Corridor unit, the Big Sandy Corridor unit, and the Canyonlands unit. (Hearings held. S. Hrg. 101-461).

S. 1343, Mr. Wirth: A bill to designate certain lands in State of Colorado as components of the National Wilderness Preservation System, and for other purposes. (Field hearing held in Denver, Colorado. S. Hrg. 101-590).

S. 1578, Mr. Fowler, et al.: A bill to provide for the creation of an independent Historic Preservation Agency and a National Center for Preservation Technology, and for other purposes. (Hearings held. S. Hrg. 101-721). (Field hearing held in Savannah, Georgia. S. Hrg. 101-721).

S. 1579, Mr. Fowler, et al.: A bill to amend the National Historic Preservation Act, the Historic Sites Act, the Archaeological Resources Protection Act, and the Abandoned Shipwreck Act, and certain related Acts to strengthen the preservation of our historic heritage and resources, and for other purposes. (Hearings held. S. Hrg. 101-721). (Field hearing held in Savannah, Georgia. S. Hrg. 101-721).

S. 1719, Mr. Garn and Mr. Hatch: A bill to designate a segment of the Colorado River in the Westwater Canyon, Utah, as a component of the National Wild and Scenic Rivers System. (Hearings held. S. Hrg. 101-788). (Reported to the Senate with an amendment in the nature of a substitute. S. Rept. 101-296). (Passed Senate with an amendment in the nature of a substitute).

S. 1767, Mr. Burns, et al.: A bill to reimburse Montana and individuals for expenses incurred to test cattle for brucellosis organisms carried outside Yellowstone National Park by elk and bison, and for other purposes. (Hearings held. S. Hrg. 101-782). (Reported to the Senate with amendments. S. Rept. 101-501). (Passed Senate with an amendment).

S. 1770, Mr. Jeffords, et al.: An Act to assess the suitability and feasibility of including certain Shenandoah Valley Civil War Sites in the national park system, and for other purposes. (Hearing held. S. Hrg. 101-628). (Passed Senate with an amendment. S. Rept. 101-331). (See Public Law 101-628).

S. 1831, Mr. Bingaman and Mr. Domenici: A bill to direct the Secretary of Agriculture to convey certain lands to the town of Taos, New Mexico. (Hearings held. S. Hrg. 101-815). (Reported to the Senate with an amendment in the nature of a substitute. S. Rept. 101-489). (Passed Senate with an amendment).

S. 1837, Mr. Bingaman and Mr. Domenici: A bill to direct the Secretary of the Interior to establish a Desert Research Center. (Hearings held. S. Hrg. 101-788).

S. 1990, Mr. Pell and Mr. Chafee: A bill to establish the Cliff Walk National Historic Site. (Hearings held. S. Hrg. 101-791).

S. 2014, Mr. Bingaman and Mr. Domenici: A bill to direct the Secretary of Agriculture and the Secretary of the Interior to provide interpretation and visitor education regarding the rich cultural heritage of the Chama River Gateway Region of northern New Mexico. (Hearings held. S. Hrg. 101-815). (Reported to the Senate with amendments. S. Rept. 101-317). (Passed Senate with amendments).

S. 2072, Mr. Moynihan: A bill to authorize a study of nationally significant places in American Labor History. (Hearings held. S. Hrg. 101-791). (See H.R. 2949).

S. 2143, Mr. Domenici: A bill to establish the Organ Mountains National Conservation Area in the State of New Mexico and for other purposes. (Hearings held. S. Hrg. 101–815).

S. 2208, Mr. Hatch and Mr. Garn: A bill to provide for issuance of a 7-day admission permit for the grand Circle Adventure comprising 7 national parks in Utah, Colorado, and Arizona. (Hearings held. S. Hrg. 101–949).

S. 2254, Mr. Bingaman and Mr. Domenici: An Act to establish the Pecos National Historical Park in the State of New Mexico, and for other purposes. (Hearings held. S. Hrg. 101–815). (Reported to the Senate with amendments. S. Rept. 101–320). (See Public Law 101–313).

S. 2262, Mr. Kerry and Mr. Kennedy: An Act to designate segments of the Sudbury, Assabet, and Conrad Rivers as a study area for inclusion in the National Wild and Scenic Rivers System. (Hearing held. S. Hrg. 101–791). (Reported to the Senate with an amendment. S. Rept. 101–491). (See Public Law 101–628).

S. 2273, Mr. Murkowski and Mr. Hatfield: A bill entitled the "Greens Creek Exchange Act". (Hearings held. S. Hrg. 101–914).

S. 2343, Mr. Wallop and Mr. Simpson: An Act to amend the Wild and Scenic Rivers Act by designating a segment of the Clarks Fork River in the State of Wyoming as a component of the National Wild and Scenic Rivers System. (Hearing held. S. Hrg. 101–782). (Reported to the Senate with an amendment. S. Rept. 101–547). (Passed Senate with an amendment). (See Public Law 101–628).

S. 2429, Mr. Bingaman and Mr. Domenici: A bill to establish the Mimbres Culture National Monument and to establish an archeological protection system for Mimbres sites in the State of New Mexico, and for other purposes. (Hearings held. S. Hrg. 101–815).

S. 2430, Mr. Bingaman and Mr. Domenici: An Act to amend the Zuni-Cibola National Historical Park Establishment Act of 1988 to enlarge the time in which the Secretary of the Interior may accept a leasehold interest for inclusion in the park. (Hearings held. S. Hrg. 101–815). (Reported to the Senate without amendments. S. Rept. 101–323). (See Public Law 101–313).

S. 2432, Mr. Bingaman and Mr. Domenici: A bill to provide for payments in lieu of taxes to be made with respect to certain lands co-managed by the Bureau of Land Management and the Secretary of the Army. (Hearings held. S. Hrg. 101–815).

S. 2543, Mr. Murkowski: A bill entitled the "Admiralty Island National Monument Land Management Act of 1990". (Hearings held. S. Hrg. 101–1159).

S. 2555, Mr. Cranston and Mr. Wilson: A bill to amend the Wild and Scenic Rivers Act by designating a segment of the Lower Merced River in California as a component of the National Wild and Scenic Rivers System. (Hearings held. S. Hrg. 101–453, Pt. 2). (See H.R. 4687).

S. 2669, Mr. Johnston: A bill to provide for increases in appropriation ceilings for land acquisition and development in certain units of the National Park System, and for other purposes. (Hearings held. S. Hrg. 101–453, Pt. 2). (Reported to the Senate with amendments. S. Rept. 101–418).

S. 2674, Mr. McClure: A bill to provide for the reestablishment of the gray wolf in Yellowstone National Park and the Central Idaho Wilderness Areas. (Hearings held. S. Hrg. 101-983).

S. 2684, Mr. Bingaman and Mr. Domenici: An Act to authorize a study of methods to protect and interpret the nationally significant fossil trackways found in the Robledo Mountains near Las Cruces, New Mexico. (Hearings held. S. Hrg. 101-1001). (Reported with an amendment in the nature of a substitute. S. Rept. 101-493). (See H.R. 5796).

S. 2780, Mr. Bentsen and Mr. Gramm: An Act to expand the boundaries of the San Antonio Missions National Historical Park, and for other purposes. (No hearings held). (See Public Law 101-628).

S. 2802, Mr. Conrad and Mr. Burdick: A bill to authorize the establishment of the Fort Totten National Historical Site. (Hearings held. S. Hrg. 101-1147). (Reported to the Senate without amendments. S. Rept. 101-503). (Passed Senate without amendments)

S. 2804, Mr. McClure, et al.: A bill to amend the Act of May 15, 1965, authorizing the Secretary of the Interior to designate the Nez Perce National Historical Park in the State of Idaho, and for other purposes. (Hearings held. S. Hrg. 101-1068). (Reported to the Senate with amendments. S. Rept. 101-494). (Passed Senate with amendments).

S. 2809, Mr. Simon, et al.: An Act to amend the National Trails System to provide for the study and designation of the Underground Railroad Historic Trail. (Hearings held. S. Hrg. 101-1147). (See Public Law 101-628).

S. 2815, Mr. Garn and Mr. Hatch: A bill to establish the Kokapelli National Outdoor Theater in the State of Utah, and for other purposes. (Hearings held. S. Hrg. 101-1159).

S. 2816, Mr. Garn: A bill to disclaim right, title, and interest of the United States in and to certain private lands conditionally relinquished to the United States under the Act of June 4, 1987 (30 Stat. 11, 36), and for other purposes. (Hearings held. S. Hrg. 101-1159).

S. 2882, Mr. Coats and Mr. Lugar: A bill to modify the boundaries of the Indiana Dunes National Lakeshore, and for other purposes. (Hearings held. S. Hrg. 101-1182). (See H.R. 3209).

S. 2891, Mr. Wirth: A bill to authorize and direct an exchange of lands in Colorado. (Hearings held. S. Hrg. 101-1159).

S. 3048, Mr. Simon: A bill to amend the Illinois and Michigan Canal National Heritage Corridor Act of 1984 to extend the boundaries of the corridor. (Hearings held. S. Hrg. 101-1182).

H.R. 919, Mr. Wilson, et al.: A bill to increase the size of the Big Thicket National Preserve in the State of Texas by adding the Village Creek Corridor unit, the Big Sandy Corridor unit, and the Canyonlands unit. (Hearings held. S. Hrg. 101-461).

H.R. 1109, Mr. Shumway, et al.: A bill to amend the National Trails System Act to designate the California National Historic Trail and Pony Express National Historic Trail as components of the National Trails System. (Hearings held. S. Hrg. 101-949). (Reported to the Senate with amendments. S. Rept. 101-301). (Passed Senate with amendments).

H.R. 1484, Mr. Vento, et al.: A bill to establish a National Park System Review Board, and for other purposes. (Hearings held. S. Hrg. 101–592).

H.R. 2566, Mr. Swift: A bill to disclaim any interests of the United States in certain lands on San Juan Island, Washington, and for other purposes. (Hearings held. S. Hrg. 101–1159). (Reported to the Senate with amendments. S. Rept. 101–535). (Passed Senate with amendments).

H.R. 2949, Mr. McNulty, et al.: A bill to authorize a study of nationally significant places in American Labor History. (Hearings held. S. Hrg. 101–791). (Reported to the Senate without amendments. S. Rept. 101–495).

H.R. 3209, Mr. Visclosky, et al.: A bill to modify the boundaries of the Indiana Dunes National Lakeshore, and for other purposes. (Hearings held. S. Hrg. 101–1182). (Reported to the Senate with an amendment in the nature of a substitute. S. Rept. 101–539). (Passed Senate with an amendment).

H.R. 4660, Mr. Marlenee, et al.: A bill to authorize the establishment of a memorial at Custer Battlefield National Monument in honor of the Indians who fought in the Battle of the Little Bighorn, and for other purposes. (No hearings held). (Bill discharged from Committee). (Passed Senate with an amendment).

H.R. 4687, Mr. Condit, et al.: A bill to amend the Wild and Scenic Rivers Act by designating a segment of the Lower Merced River in California as a component of the National Wild and Scenic Rivers System. (Hearings held. S. Hrg. 101–453, Pt. 2). (Reported to the Senate with an amendment in the nature of a substitute. S. Rept. 101–505). (Passed Senate).

H.R. 5084, Mr. Lewis, et al.: A bill to authorize the National Park Service to acquire and manage the Mary McLeod Bethune Council House National Historic Site, and for other purposes. (Hearings held. S. Hrg. 101–1147). (Reported to the Senate without amendments. S. Rept. 101–507).

SUBCOMMITTEE ON WATER AND POWER

BILL BRADLEY, New Jersey, *Chairman*
KENT CONRAD, North Dakota, *Vice Chairman*

WENDELL H. FORD, Kentucky
HOWELL T. HEFLIN, Alabama
DANIEL K. AKAKA, Hawaii
CONRAD BURNS, Montana
MARK O. HATFIELD, Oregon
JAKE GARN, Utah
MALCOLM WALLOP, Wyoming

JURISDICTION

Jurisdiction of the Subcommittee includes oversight and legislative responsibilities for irrigation; reclamation projects, including related flood control purposes; power marketing administrations (e.g., Bonneville Power, Alaska Power, Southwestern Power, Western Area Power, Southeastern Power); energy development impacts on water resources; groundwater resources and management; small power producers; hydroelectric power; low head hydro.

OVERSIGHT ACTIVITIES

The Subcommittee held 4 days of oversight hearings on 4 subjects as follows:

Adverse impacts of Garrison Dam and Lake Sakakawea on local communities and governmental infrastructure in the State of North Dakota. (S. Hrg. 101-421).

How Federal water policies, particularly those of the U.S. Bureau of Reclamation might be improved in order to help California make the best use of its existing water resources. (S. Hrg. 101-282).

The role of hydropower in the nation's electric supply mix and how the existing licensing regime affects hydroelectric development. (S. Hrg. 101-544).

The upper basin impacts of low water levels in Missouri River Reservoirs. (S. Hrg. 101-421).

LEGISLATIVE ACTIVITIES

During the 101st Congress, 33 Senate bills, and 7 House bills were referred to the Subcommittee. Amendments concerning matters within the Subcommittee's jurisdiction were made to various legislative vehicles.

The Subcommittee held 10 days of hearings on 22 of the bills referred to it, including:

Hydroelectric Fairness Act of 1989 (S. 635);
The Cedar Bluff Unit Reformulation (S. 53);
The Lake Andes-Wagner/Marty II Project (S. 202);
Additional Appropriations for Buffalo Bill Dam (S. 1121);
The Leadville Mine Drainage Treatment Plant (S. 1275);

To authorize the Secretary of the Interior to construct and test the Lake Meredith Salinity Control Project, New Mexico and Texas (S. 486);

The Truckee-Carson-Pyramid Lake Water Rights Settlement Act (S. 1554);

The Mid-Dakota Rural Water System Act of 1989 (S. 1765);

To authorize the Secretary of the Interior to construct the Lake Andes-Wagner and Marty II Units in South Dakota (S. 2710);

To authorize reimbursement by the Secretary of the Interior of certain expenditures at the Minidoka Project, Idaho and Wyoming (H.R. 3694);

To provide for the transfer of the Platoro Reservoir to the Conejos Water Conservancy District (S. 1118);

To provide further relief to the Vermejo Conservancy District from its repayment obligation (S. 1932);

The Reclamation Reform Act Amendments of 1990 (S. 2659);

The Reclamation Project Authorization and Adjustment Act of 1990 (H.R. 2567);

The Western Water Policy Review Act of 1989 (S. 1996);

The Fort Hall Indian Water Rights Act of 1990 (S. 2870);

The Reclamation Wastewater and Groundwater Study Act (S. 2657);

The Grand Canyon Protection Act of 1990 (S. 2807);

To amend the Warren Act to expand the purposes for which excess storage or carrying capacity in reclamation projects may be used (S. 2716);

To transfer certain rights-of-way to the Elephant Butte Irrigation District of New Mexico (S. 1590);

To designate the Salt-Gila aqueduct of the Central Arizona Project as the "Fannin-McFarland Aqueduct" (S. 1556);

The Central Utah Project Completion Act (S. 2969).

Of the bills referred to the Subcommittee, four became public laws. Those that were enacted directly or as part of other bills referred to the Subcommittee or Committee are listed below under "Measures Enacted Into Law." Bills referred to the Subcommittee that were enacted as part of legislative vehicles which were never referred to the Subcommittee are listed under the subheading of "Related Public Laws." This subheading also includes measures within the Subcommittee's jurisdiction that were enacted but never referred to the Subcommittee.

MEASURES ENACTED INTO LAW

Private Law 101-2 (H.R. 1020), Mr. Morrison of Washington: To permit reimbursement of relocation expenses of William D. Morger.

Public Law 101-628 (H.R. 2570), Mr. Udall, et al. (S. 2870), Mr. McClure: The "Arizona Desert Wilderness Act of 1990."

RELATED PUBLIC LAWS

Public Law 101-514 (H.R. 5019), Mr. Bevill (H.R. 3694), Mr. Stallings, et al.: The "Energy and Water Appropriations Act, 1991."

Public Law 101-618 (S. 3084), Mr. Reid, et al. (S. 1554), Mr. Reid: The "Fallon Paiute-Shoshone Indian Tribe Water Rights Settlement Act of 1990."

OTHER MEASURES ACTIVELY CONSIDERED

S. 53, Mr. Dole and Mrs. Kassebaum: A bill to authorize the reformulation of the Cedar Bluff Unit of the Pick-Sloan Missouri Basin Program, Kansas, to provide for the amendment of water service and repayment contracts. (Hearings held. S. Hrg. 101-328). (Full Committee business meeting. Reported to the Senate with amendments. S. Rept. 101-198). (Passed Senate).

S. 202, Mr. Daschle and Mr. Pressler: A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Lake Andes-Wagner Unit and the Marty II Unit, South Dakota Pumping Division, Pick-Sloan Missouri Basin Program, South Dakota. (Hearings held. S. Hrg. 101-328).

S. 486, Mr. Bentsen and Mr. Gramm: A bill to authorize the Secretary of the Interior to construct and test the Lake Meredith Salinity Control Project, New Mexico and Texas, and for other purposes. (Hearings held. S. Hrg. 101-328). (Full Committee business meeting. Reported to the Senate with amendments. S. Rept. 101-199). (Passed Senate).

S. 635, Mr. McClure, Mr. Johnston, Mr. Garn, Mr. Nickles, Mr. Bradley, Mr. Murkowski, Mr. Lautenberg, Mr. Ford and Mr. D'Amato: A bill entitled the "Hydroelectric Fairness Act of 1989." (Hearings held. S. Hrg. 101-121). (Full Committee business meeting; Reported to the Senate with an amendment in the nature of a substitute and an amendment to the title. S. Rept. 101-133). (Passed Senate).

S. 1118, Mr. Armstrong and Mr. Wirth: A bill to provide for the transfer of the Platoro Reservoir to the Conejos Water Conservancy District of the State of Colorado, and for the protection of fish habitat on the Conejos River. (Hearings held. S. Hrg. 101-1060) (Full Committee business meeting; Reported to the Senate with an amendment in the nature of a substitute. S. Rept. 101-498). (Passed Senate with an amendment in the nature of a substitute).

S. 1121, Mr. Wallop and Mr. Simpson: A bill to authorize additional appropriations for the construction of the Buffalo Bill Dam and Reservoir, Shoshone Project, Pick-Sloan Missouri Basin Program, Wyoming. (Hearings held. S. Hrg. 101-328). (Full Committee business meeting; Reported to the Senate without amendment. S. Rept. 101-200). (Passed Senate).

S. 1275, Mr. Wirth: A bill entitled the "Leadville Mine Drainage Treatment Act of 1989." (Hearings held. S. Hrg. 101-328). (Full Committee business meeting; Reported to the Senate without amendment. S. Rept. 101-201). (Passed Senate).

S. 1556, Mr. DeConcini and Mr. McCain: A bill to designate the Salt-Gila aqueduct of the Central Arizona Project as the "Fannin-McFarland Aqueduct." (Hearings held. S. Hrg. 101-1035).

S. 1590, Mr. Bingaman and Mr. Domenici: A bill to transfer certain rights-of-way to the Elephant Butte Irrigation District of New Mexico, and for other purposes. (Hearings held. S. Hrg. 101-1060).

S. 1765, Mr. Pressler and Mr. Daschle: A bill entitled the "Mid-Dakota Rural Water System Act of 1989." (Hearings held. S. Hrg. 101-1013).

S. 1932, Mr. Domenici and Mr. Bingaman: A bill to amend title IV of the Act of December 19, 1980 (94 Stat. 3227) to provide further relief to the Vermejo Conservancy District from its repayment obligation for the construction, operation, and maintenance of the Vermejo reclamation project, and for other purposes. (Hearings held. S. Hrg. 101-1060).

S. 1996, Mr. Hatfield: A bill entitled the "Western Water Policy Review Act of 1989." (Hearings held. S. Hrg. 101-993).

S. 2657, Mr. Bradley and Mr. Wilson: A bill entitled the "Reclamation Wastewater and Groundwater Study Act." (Hearings held. S. Hrg. 101-1181).

S. 2659, Mr. Bradley: A bill entitled the "Reclamation Reform Act Amendments of 1990." (Hearings held. S. Hrg. 101-1174).

S. 2710, Mr. Daschle and Mr. Pressler: A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Lake Andes-Wagner Unit and the Marty II Unit, South Dakota Pumping Division, Pick-Sloan Missouri Basin Program, and for other purposes. (Hearings held. S. Hrg. 101-1013).

S. 2716, Mr. Cranston and Mr. Wilson: A bill to amend the Warren Act (Act of February 21, 1911, 43 U.S.C. 523 et seq.) to expand the purpose for which excess storage or carrying capacity in reclamation projects may be used, and for other purposes. (Hearings held. S. Hrg. 101-1060).

S. 2807, Mr. McCain, Mr. DeConcini, Mr. Bradley, Mr. Heinz, Mr. Gorton and Mr. Wilson: A bill entitled the "Grand Canyon Protection Act of 1990." (Hearings held. S. Hrg. 101-1035).

S. 2870, Mr. McClure and Mr. Symms: A bill entitled the "Fort Hall Indian Water Rights Act of 1990." (Held Joint Hearing with the Select Committee on Indian Affairs. S. Hrg. 101-1180).

S. 2969, Mr. Garn and Mr. Hatch: A bill entitled the "Central Utah Project Completion Act." (Hearings held. S. Hrg. 101-1110).

H.R. 2567, Mr. Thomas: A bill entitled the "Reclamation Projects Authorization and Adjustment Act of 1990." (Hearings held. S. Hrg. 101-1174 and S. Hrg. 101-1181). (Full Committee business meeting; Reported to the Senate with an amendment in the nature of a substitute which includes titles dealing with the following bills: S. 1554, S. 1556, S. 1590, S. 1932, S. 2710, S. 2716, S. 2807 and S. 2870 and the text of S. 53, S. 486, S. 1121 and S. 1275. S. Rept. 101-499). (Passed Senate with amendments).

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